

Notice of Allowability

Application No.

10/600,887

Examiner

Techane J. Gergiso

Applicant(s)

MARMIGERE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 11, 2007.
2. ☒ The allowed claim(s) is/are 1,3,6,8,9,11,12,15 and 16 and 10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with John A. Merecki (Reg. No.: 35, 812) on June 18, 2007.

The application has been amended as follows:

In claim 1, line 1: replace "the encryption" with --encryption--.

In claim 15, line 1: replace "the encryption" with --encryption--.

Reason for allowance

3. After reconsideration of the applicant's remark filed on August June 11, 2007, further search and through examination of the present application, claims 1, 3, 6, 8, 9, 11, 12, 15, and 16 and 10 are found to be in condition for allowance over prior arts of record.

4. The following is an examiner's statement of reasons for allowance:

The prior art used for rejection include Jobst et al. (US Pat. No.: 6,707,915) which disclose a method for transferring data from a providing communication terminal to a requesting communication terminal. The requesting terminal transfers a message to the providing terminal requesting for receiving the data and a first unique identification code identifying the requesting terminal. The providing terminal verifies the validity of the first unique Identification code. When the verification has been ended successfully, the providing terminal responds by transferring a message to the requesting terminal including the requested data packet and a second unique identification code. Then the requesting communication terminal verifies the validity of the second unique identification code and stores the data packet accordingly when the verification has been success.

The second prior art Koukoulidis et al. (US Pub. No.: 2003/0123669) disclose a system for establishing a secure conduit for SMS communication between a center and a wireless terminal. The center encrypts an authorization key in response to a wireless terminal's SMS message containing a public key and a request for the authorization key and sends to the wireless terminal an SMS message containing the encrypted authorization key. The center decrypts another SMS message received from the wireless terminal which contains an authentication code and a request for a traffic key, authenticates the SMS message, encrypts the traffic key, and sends to the wireless terminal another SMS message containing the traffic key.

The third prior art Stephenson et al. (US Pat. No.: 6, 119, 000) includes a mobile radio network, an operative identity code is passed by a mobile station to the fixed network part at the start of each communication transaction which will either be the unique identity code (IMSI)

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assigned to the mobile-station user or, a temporary substitute identity code (TMSI) allocated by the fixed network part with a view to obscuring the identity of the user to anyone monitoring the network radio traffic. To enable the current temporary identity code (TMSI) of a user to be readily tracked without burdening the network infrastructure, a monitoring arrangement is provided which monitors network signaling messages to link the different messages associated with a particular user mobile station that separately give the current operative identity code and assign a successor operative identity code to that user.

The claimed invention is directed to method and system of SMS messages security configuration through the use of encryption using only International Mobile Equipment Identity (IMEI) as a key and setting an encryption identifier in an Information Element (IE) group of the User Data Header (UDH) of the Short message Service (SMS). A text messaging system sends SMS messages to a remotely managed wireless terminal equipment to generate an encrypted bit string based on the IMEI shared key and to signal use of the security mechanism available in Information Element fields of the User Data of the SMS message. The receiving wireless terminal equipment is configured to process the encrypted configuration SMS messages using the IMEI as a key.

Therefore, the prior arts in record, either alone or in combination does not teach the use of encryption using only International Mobile Equipment Identity (IMEI) as a key and setting an encryption identifier in an Information Element (IE) group of the User Data Header (UDH) of the Short message Service (SMS).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See the notice of reference cited in form PTO-892 for additional prior art.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Techane J. Gergiso whose telephone number is (571) 272-3784 and fax number is ~~(571) 273-3784~~. The examiner can normally be reached on 9:00am - 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. G

Techane Gergiso

Patent Examiner

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June 18, 2007


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER